



1-23-03

DAC

Attorney Docket No: 219507-000031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Dale C. McCarthy)
Serial No.: 09/330,381)
Filing Date: June 11, 1999)
Title: BATTERY TERMINAL)
Group Art Unit: 2839)
Examiner: K. Nguyen)

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Stephanie Warner-Wallace

(Typed or printed name of person mailing paper or fee)

Stephanie Warner-Wallace
(Signature of person mailing paper or fee)TRANSMITTAL LETTER

Attention: Office of Petitions
Assistant Commissioner of Patents
BOX DAC
Washington, D.C. 20231

Dear Sir:

Transmitted herewith in the above-identified application are the following documents:

1. Revocation of Power of Attorney, Appointment of New Attorneys and Certificate Under 37 C.F.R. §3.73(b);
2. Petition for Revival of Abandoned Application (Unintentional) Under 37 C.F.R. § 1.137(b);
3. Copy of Response to Office Action filed on January 29, 2001;
4. Check in the amount of \$1,300.00 (petition fee); and
5. Return postcard acknowledging receipt.

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JAN 24 2003

OFFICE OF PETITIONS

Applicant(s): Dale C. McCarthy
Serial No.: 09/330,381
Page 2

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 18-2284 of Piper Rudnick. This sheet is transmitted in duplicate.

Respectfully submitted,

Aimee E. McVady

Aimee E. McVady
Reg. No. 48,720



28465

PATENT TRADEMARK OFFICE

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FACSIMILE COVER SHEET

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TO: Examiner Khiem Nguyen

COMPANY: U. S. Patent Office, Group Art Unit 2839

FAX NO.: (703) 305-3431

FROM: James S. Parker *JSP*

DATE: January 29, 2001

NUMBER OF PAGES (INCLUDING COVER SHEET): 13

MESSAGE:

Re: Serial No. 09/330,381; filed June 11, 1999 for Battery Terminal
U.S. Patent Application Docket No. CTI-101C1C3
Petition and Fee for Three Month Extension of Time;
Amendment Under 37 CFR 1.111;
Terminal Disclaimer;
Amendment Transmittal Letter

PLEASE DELIVER TO EXAMINER NGUYEN IMMEDIATELY

TRANSACTION REPORT

P. 01

FOR: SALIWANCHIK, LLOYD&SALIWA 352 372 5800

pg 4 of response (missed originally for)

JAN-29-2001 MON 04:42 PM

| DATE | START | RECEIVER | TX TIME | PAGES | TYPE | NOTE | M# | DP |
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TOTAL : 46S PAGES: 1

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Docket No. CTI-101C1C3

Serial No. 09/330,381

no annular space is to be left between them. In particular, page 2, lines 97-102 of the Britain reference states that sleeve (16) and sleeve (15) can cooperate without leaving the annular space, with the only consequence being that the metal casing (12) would not extend beyond the adjacent end of sleeve (16). Therefore, there is no suggestion or motivation to incorporate sleeve (15) from the Britain reference into the apparatus taught in the Barth reference and, in particular, no suggestion or motivation to incorporate sleeve (15) without sleeve (16).

Accordingly, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-6, 9-15, and 17-19 under 35 U.S.C. §103(a).

Claims 7-8 and 16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Barth in view of Britian '156 as applied to claims 1 and 11 above, and further in view of Gourley *et al.* The Office Action states that Barth in view of Britain '156 discloses the claimed instant invention except an electrical conductive prong having two ends. As discussed above, the applicant asserts that the Barth reference in view of the Britain '156 reference does not disclose the claimed instant invention except an electrical conductive prong having two ends. The Gourley *et al.* reference does not cure this defect. Accordingly, the applicant respectfully requests reconsideration and withdrawal